

CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Environmental Services

AGENDA DATE: November 29, 2011

CONTACT PERSON NAME AND PHONE NUMBER: William V. Stern, Deputy Building Official
(915) 599-3742

DISTRICT(S) AFFECTED: 8

SUBJECT:

Placing a condemnation lien on the following properties (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso City Code:

- | | | | |
|----|--|------------|------------|
| 1. | 403 Dolan Street
Fernando Nieto and Josefina Nieto | \$8,231.10 | District 8 |
| 2. | 3429 Rivera Avenue
Carrie Agent Brown and Leatrice Agent Saunders | \$9,030.07 | District 8 |

BACKGROUND / DISCUSSION:

The Building and Standards Commission conducted a public hearing on the mentioned properties and ordered that action be taken to ensure that the properties are made safe. The cost incurred for these properties were performed by the City Clerk's Office and the Environmental Services Department.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

1. BSC Public Hearing – 403 Dolan Street – March 16, 2011
 2. BSC Public Hearing – 3429 Rivera Avenue – February 23, 2011
-

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

RESOLUTION

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 16th day of March, 2011, after due notice and hearing, issued an order to FERNANDO NIETO and JOSEFINA NIETO, record Owners of the hereinafter described property that the structure be demolished within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Department of Transportation of the City of El Paso has been ordered to proceed to demolish and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of the demolishing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

The Southerly ½ of Lot 2, Block 2, Map of Pasadena No. 2, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Book 15, Page 47, Plat Records, El Paso County, more particularly described as 403 Dolan Street, El Paso, Texas,

to be \$7, 182.89, performed by the Department of Transportation of the City of El Paso, and \$1,048.21, performed by the City Clerk's Office and Environmental Services Department, making a total of \$8,231.10. The City Council finds that the work was completed on the 17th day of June, 2011, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of EIGHT THOUSAND TWO HUNDRED THIRTY-ONE AND 10/00 DOLLARS (\$8,231.10) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

(Signatures follow on next page)

ADOPTED this _____ day of _____, 2011.

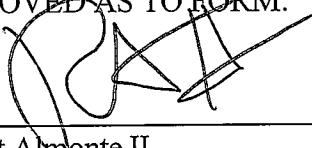
CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

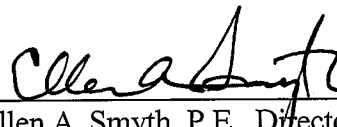
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Robert Almonte II
Assistant City Attorney

APPROVED AS TO CONTENT:



Ellen A. Smyth, P.E., Director
Environmental Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

 This instrument was acknowledged before me on this _____ day of _____, 2011 by _____, as _____ of the City of El Paso.

Notary Public, State of Texas
Notary's Printed or Typed Name:

(Seal)
PREPARED IN THE OFFICE OF:
City Attorney's Office
#2 Civic Center Plaza
El Paso, Texas 79901-1196

RESOLUTION

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 23rd day of February, 2011, after due notice and hearing, issued an order to CARRIE AGENT BROWN and LEATRICE AGENT SAUNDERS, record Owners of the hereinafter described property that the structure be demolished within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Department of Transportation of the City of El Paso has been ordered to proceed to demolish and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Environmental Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of the demolishing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

The Easterly 5 Feet of Lot 13 and all of Lot 14, Block 6, East El Paso Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map and plat of said addition on file in the Office of the County Clerk of El Paso County, Texas together with the improvements thereon, more particularly described as 3429 Rivera Avenue, El Paso, Texas,

to be \$7,904.99, performed by the Department of Transportation of the City of El Paso, and \$1,125.08, performed by the City Clerk's Office and Environmental Services Department, making a total of \$9,030.07. The City Council finds that the work was completed on the 17th day of June, 2011, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of NINE THOUSAND THIRTY AND 07/00 DOLLARS (\$9,030.07) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

ADOPTED this _____ day of _____, 2011.

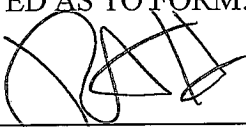
CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

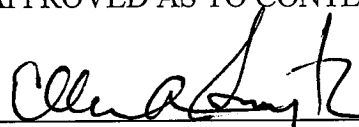
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Robert Almonte II
Assistant City Attorney

APPROVED AS TO CONTENT:



Ellen A. Smyth, P.E., Director
Environmental Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2011 by _____, as _____ of the City of El Paso.

Notary Public, State of Texas
Notary's Printed or Typed Name:

(Seal)
PREPARED IN THE OFFICE OF:
City Attorney's Office
#2 Civic Center Plaza
El Paso, Texas 79901-1196